UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/915,203	07/23/2001	Theodore Watler	027952-001510US	5279

20350   7590   01/26/2010
TOWNSEND AND TOWNSEND AND CREW, LLP
TWO EMBARCADERO CENTER
EIGHTH FLOOR
SAN FRANCISCO, CA 94111-3834

EXAMINER
DANIEL JR, WILLIE J

ART UNIT	PAPER NUMBER
2617	

MAIL DATE	DELIVERY MODE
01/26/2010	PAPER

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

	Application No.	Applicant(s)
Office Action Summary	09/915,203	WATLER ET AL.
	Examiner	Art Unit	
	WILLIE J. DANIEL JR	2617	

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE *3* MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.
- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
  Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *03 November 2009*.

2a)☒ This action is **FINAL**.   2b)☐ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-5,7-9,13-16,18-20,23-26,28,29,32,33,35,36 and 40-45* is/are pending in the application.

   4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-5,7-9,13-16,18-20,23-26,28,29,32,33,35,36 and 40-45* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

   Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

   Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

   a)☐ All   b)☐ Some * c)☐ None of:

   1.☐ Certified copies of the priority documents have been received.

   2.☐ Certified copies of the priority documents have been received in Application No. _____.

   3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

   * See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1)☐ Notice of References Cited (PTO-892)
2)☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3)☐ Information Disclosure Statement(s) (PTO/SB/08)
     Paper No(s)/Mail Date _____.

4)☐ Interview Summary (PTO-413)
     Paper No(s)/Mail Date. _____.
5)☐ Notice of Informal Patent Application
6)☐ Other: _____.

DETAILED ACTION

1. This action is in response to applicant's amendment filed on 03 November 2009. **Claims 1-5, 7-9, 13-16, 18-20, 23-26, 28-29, 32-33, 35-36, and 40-45** are now pending in the present application and **claims 6, 10-12, 17, 21-22, 27, 30-31, 34, and 37-39** are canceled. This office action is made **Final**.

Continued Examination Under 37 CFR 1.114

2. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 03 November 2009 has been entered.

3. All claims are drawn to the same invention claimed in the application prior to the entry of the submission under 37 CFR 1.114 and could have been finally rejected on the grounds and art of record in the next Office action if they had been entered in the application prior to entry under 37 CFR 1.114. Accordingly, **THIS ACTION IS MADE FINAL** even though it is a first action after the filing of a request for continued examination and the submission under 37 CFR 1.114. See MPEP § 706.07(b). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

    A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS

of the mailing date of this final action and the advisory action is not mailed until after the end

of the THREE-MONTH shortened statutory period, then the shortened statutory period will

expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR

1.136(a) will be calculated from the mailing date of the advisory action. In no event,

however, will the statutory period for reply expire later than SIX MONTHS from the mailing

date of this final action.

Claim Rejections - 35 USC § 103

4. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness

rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in
> section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are
> such that the subject matter as a whole would have been obvious at the time the invention was made to a person
> having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the
> manner in which the invention was made.

Claims 1-5, 7-9, 13-16, 18-20, 23-26, 28-29, 32, 35-36, and 40-45 are rejected under 35

U.S.C. 103(a) as being unpatentable over **Dent et al**. (hereinafter Dent) (**US 6,246,870 B1**) in

view of **Martineau (US 5,915,226)**.

Regarding **claim 1**, Dent discloses a system for handling a plurality of accounts (see

col. 5, lines 7-11), comprising:

a radiotelephone (500) which reads on the claimed "wireless device" having software

which internally stores and manages a plurality of accounts each having an internal account

balance (see col. 5, lines 38-50; col. 6, lines 6-43; Figs. 6-7 and 8 "ref. 730"), where the

radiotelephone (500) has a cellular subscription and satellite subscription,

calculates charges (e.g., communication units usage) for a communication involving said

wireless device (500) (see col. 5, lines 38-39; col. 6, lines 6-43; col. 9, lines 31-50), where

the terminal performs computations of cumulative communication usage units,

wherein said software selectively uses said calculated charge to charge one of the

plurality of internally stored accounts for said communication (see col. 5, lines 38-50; col. 6,

lines 6-43; col. 8, lines 36-41,51-58; Figs. 6-7 and 8 "ref. 730"), where the user of the

radiotelephone (500) can select one the subscriptions based on factors such as remaining free

minutes and lowest tariffs. Dent does not specifically disclose having the feature allows

transfer of amounts amongst said internal accounts. However, the examiner maintains that

the feature allows transfer of amounts amongst said internal accounts was well known in the

art, as taught by Martineau.

In the same field of endeavor, Martineau discloses the feature allows transfer of

amounts amongst said internal accounts (see col. 7, lines 23-29,35-37; col. 4, lines 2-3),

where the handset has a prepaid account and a SIM account in which units are exchanged

between the SIM (8) and prepaid card (10) (see Figs. 1-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Dent and Martineau to have the feature

allows transfer of amounts amongst said internal accounts, in order to provide a prepaid

telephone service that has enhanced security, as taught by Martineau (see col. 3, lines 14-16).

Regarding **claim 2**, the combination of Dent and Martineau discloses every limitation

claimed, as applied above (see claim 1), in addition Dent further discloses the system

according to claim 1 further comprising: a user interface to allow a user to determine which

of said internally stored accounts should be charged for the communication (see col. 6, lines 56-60; col. 3, lines 19-25; col. 5, lines 28-41; col. 7, line 66 - col. 8, line 8; col. 8, lines 30-32), where the user initiate communication with either the satellite or terrestrial radiotelephone communications systems.

Regarding **claim 3**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 wherein the software uses an algorithm to automatically select one of the plurality of internally stored accounts to be charged for said communication (see col. 2, lines 64-67; col. 6, line 24-27), where the system selects either the satellite or terrestrial radiotelephone communications systems.

Regarding **claim 4**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 3), in addition Dent further discloses the system according to claim 3 wherein selection of which account is to be charged among said plurality of accounts depends on origin or destination of the communication (see col. 9, lines 26-28,32-35; col. 7, lines 38-41,44-50), where the system has a tariff which is considered for determining which system to use for communication sessions or calls.

Regarding **claim 5**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 wherein said communication is a data communication (see col. 4, lines 20-24).

Regarding **claim 7**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system

according to claim 1 wherein the wireless device (500) is a mobile phone (500) (see col. 6, lines 47-51; Figs. 6-7).

Regarding **claim 8**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 wherein said software resides on a smart card (100) attachable to the wireless device (500) (see col. 6, lines 6-10,61-67; col. 7, lines 38-41,44-50; col. 9, lines 32-43).

Regarding **claim 9**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 wherein said software resides on an internal memory (40) in the wireless device (500) (see col. 9, lines 40-43).

Regarding **claim 13**, Dent discloses the system according to claim 1 wherein the plurality of accounts includes a postpaid account and a prepaid account (see col. 5, lines 55-61). Dent inexplicitly discloses having the feature(s) a prepaid account. However, the examiner maintains that the feature(s) a prepaid account was well known in the art, as taught by Martineau.

As further support in the same field of endeavor, Martineau discloses the feature(s) a prepaid account (see col. 6, lines 19-20).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dent and Martineau to have the feature(s) a prepaid account, in order to provide a prepaid telephone service that has enhanced security, as taught by Martineau (see col. 3, lines 14-16).

Regarding **claim 14**, the combination of Dent and Martineau discloses every limitation claimed, as applied above (see claim 1), in addition Dent further discloses the system according to claim 1 wherein at least one of the plurality of accounts has usage limit (see col. 5, lines 43-50); and

wherein the ability of the user to use the wireless device is restricted when the usage limit is exceeded (see col. 8, lines 30-37; col. 9, lines 45-48). As a note, Martineau discloses having the feature(s) wherein at least one of the plurality of accounts has usage limit; and wherein the ability of the user to use the wireless device is restricted when the usage limit is exceeded (see col. 7, lines 63-65).

Regarding **claim 15**, Dent discloses a radiotelephone (500) which reads on the claimed "wireless device" capable of communicating within a network (see col. 6, lines 47-51; Figs. 6-7), comprising:

software within the wireless device (500) to store a plurality of accounts each having an internal account balance (see col. 5, lines 38-50; col. 6, lines 6-43; Figs. 6-7 and 8 "ref. 730"), where the radiotelephone (500) has a cellular subscription and satellite subscription,

calculates charges (e.g., communication units usage) for a communication involving said wireless device (500) (see col. 5, lines 38-39; col. 6, lines 6-43; col. 9, lines 31-50), where the terminal performs computations of cumulative communication usage units,

a user interface to allow a user to selectively determine which one of the plurality of internally stored accounts will be charged for said communication using said calculated charges (see col. 8, lines 1-5; col. 5, lines 38-50; col. 6, lines 6-43; col. 8, lines 36-41,51-58; Figs. 6-7 and 8 "ref. 730"), where the user of the radiotelephone (500) can select one the

subscriptions based on factors such as remaining free minutes and lowest tariffs. Dent does

not specifically disclose having the feature allow transfer of amounts amongst said internal

accounts. However, the examiner maintains that the feature allow transfer of amounts

amongst said internal accounts was well known in the art, as taught by Martineau.

Martineau further discloses the feature allow transfer of amounts amongst said

internal accounts (see col. 7, lines 23-29,35-37; col. 4, lines 2-3), where the handset has a

prepaid account and a SIM account in which units are exchanged between the SIM (8) and

prepaid card (10) (see Figs. 1-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Dent and Martineau to have the feature

allow transfer of amounts amongst said internal accounts, in order to provide a prepaid

telephone service that has enhanced security, as taught by Martineau (see col. 3, lines 14-16).

Regarding **claims 16, 18-20, and 23-24**, the claims as applied to claim 15 are rejected

for the same reasons as set forth above in **claims 5, 7-9, and 13-14** respectively.

Regarding **claim 25**, Dent discloses a mobile phone (e.g., radiotelephone 500) (see

Figs. 6-7) comprising:

a first line (e.g., first communication system) and a second line (e.g., second

communication system) to both make and receive calls (see col. 7, lines 41-50), where the

radiotelephone can communicate with multiple systems such as a cellular and satellite

system; and

software residing in the mobile phone and configured to store and manage a plurality of

internally stored accounts each account having an internal balance (see col. 5, lines 38-50;

col. 6, lines 6-43; Figs. 6-7 and 8 "ref. 730"), where the radiotelephone (500) has a cellular subscription and satellite subscription,

to calculate charges for a call made or received by the mobile phone (500) (see col. 5, lines 38-39; col. 6, lines 6-43; col. 9, lines 31-50), where the terminal performs computations of cumulative communication usage units,

wherein said software selectively charges one of the plurality of internally stored accounts for said call using said calculated charge (see col. 8, lines 1-5; col. 5, lines 38-50; col. 6, lines 6-43; col. 8, lines 36-41,51-58; Figs. 6-7 and 8 "ref. 730"), where the user of the radiotelephone (500) can select one the subscriptions based on factors such as remaining free minutes and lowest tariffs;

wherein calls made or received via the first line (e.g., first communication system) are charged to one of the plurality of accounts and calls made or received via the second line (e.g., second communication system) are charged to another one of the plurality of accounts (see col. 5, lines 38-50). Dent does not specifically disclose having the feature to allow transfer of amounts amongst said internal accounts. However, the examiner maintains that the feature to allow transfer of amounts amongst said internal accounts was well known in the art, as taught by Martineau.

Martineau further discloses the feature to allow transfer of amounts amongst said internal accounts (see col. 7, lines 23-29,35-37; col. 4, lines 2-3), where the handset has a prepaid account and a SIM account in which units are exchanged between the SIM (8) and prepaid card (10) (see Figs. 1-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time

the invention was made to combine the teachings of Dent and Martineau to have the feature

to allow transfer of amounts amongst said internal accounts, in order to provide a prepaid

telephone service that has enhanced security, as taught by Martineau (see col. 3, lines 14-16).

Regarding **claims 26, 28-29, and 32**, the claims as applied to claim 25 are rejected for

the same reasons set forth above in claims 2, 8-9, and 13 respectively.

Regarding **claims 35 and 45**, Dent discloses a method for tracking account activities

relating to use of a wireless device (500) (see col. 6, lines 47-51; Figs. 6-7), comprising:

using software to internally store a plurality of accounts, each with an account balance,

on a wireless device (see col. 5, lines 38-50; col. 6, lines 6-43; Figs. 6-7 and 8 "ref. 730"),

where the radiotelephone (500) has a cellular subscription and satellite subscription;

selecting one of said a plurality accounts to be charged for a communication (see col. 8,

lines 1-5; col. 5, lines 38-50; col. 6, lines 6-43; col. 8, lines 36-41,51-58; Figs. 6-7 and 8 "ref.

730"), where the user of the radiotelephone (500) can select one the subscriptions based on

factors such as remaining free minutes and lowest tariffs;

causing the wireless device to be used for said communication (see col. 5, lines 38-50);

calculating charges to be charged against said selected account for said communication

using software in the wireless device (see col. 8, lines 1-5; col. 5, lines 38-50; col. 6, lines 6-

43; col. 8, lines 36-41,51-58; Figs. 6-7 and 8 "ref. 730"), where the user of the radiotelephone

(500) can select one the subscriptions based on factors such as remaining free minutes and

lowest tariffs; and

adjusting the selected internally stored account using the calculated charges (see col. 5, lines 38-39; col. 6, lines 6-43; col. 9, lines 31-50), where the terminal performs computations of cumulative communication usage units. Dent does not specifically disclose having the feature wherein said software allows a transfer of amounts amongst said accounts. However, the examiner maintains that the feature wherein said software allows a transfer of amounts amongst said accounts was well known in the art, as taught by Martineau.

Martineau further discloses the feature wherein said software allows a transfer of amounts amongst said accounts (see col. 7, lines 23-29,35-37; col. 4, lines 2-3), where the handset has a prepaid account and a SIM account in which units are exchanged between the SIM (8) and prepaid card (10) (see Figs. 1-3).

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dent and Martineau to have the feature wherein said software allows a transfer of amounts amongst said accounts, in order to provide a prepaid telephone service that has enhanced security, as taught by Martineau (see col. 3, lines 14-16).

Regarding **claim 36,** the claim as applied to claim 35 is rejected for the same reasons set forth above in claims 2 and 26.

Regarding **claim 40,** the claim as applied to claim 35 is rejected for the same reasons set forth above in claims 7 and 18.

Regarding **claim 41,** the claim as applied to claim 35 is rejected for the same reasons set forth above in claims 5 and 16.

Regarding **claim 42**, the combination of Dent and Martineau discloses every

limitation claimed, as applied above (see claim 35), in addition Dent further discloses the

method according to claim 35 wherein the step of selecting one of a the plurality of accounts

to be charged further comprises:

identifying the origin or destination of the communication (see col. 9, lines 26-28,32-35;

col. 7, lines 38-41,44-50), where the system has a tariff which is considered for determining

which system to use for communication sessions or calls;

selection the one of the plurality of internally stored accounts to be charged based on the

identified origin or destination of the communication (see col. 5, lines 38-50; col. 6, lines 6-

43; col. 8, lines 36-41,51-58; Figs. 6-7 and 8 "ref. 730"), where the user of the radiotelephone

(500) can select one the subscriptions based on factors such as remaining free minutes and

lowest tariffs.

Regarding **claim 43,** the claim as applied to claim 35 is rejected for the same reasons

set forth above in claims 14 and 24.

Regarding **claim 44,** the claim as applied to claim 35 is rejected for the same reasons

set forth above in claims 14 and 24.

Claim 33 is rejected under 35 U.S.C. 103(a) as being unpatentable over in view of **Dent et al**. (hereinafter Dent) (**US 6,246,870 B1**) in view of **Martineau (US 5,915,226)** as applied to claim 25 above, and further in view of **Carlsson et al**. (hereinafter Carlsson) (**US 6,026,291**).

Regarding **claim 33**, Dent discloses the mobile phone of claim 25 wherein the calls made or received via the first line (e.g., first communication system) include business calls and the calls made or received via the second line (e.g., second communication system) include personal calls (see col. 5, lines 38-50; col. 7, lines 41-50). Dent does not specifically disclose having the feature(s) the first line include business calls. However, the examiner maintains that the feature(s) the first line include business calls was well known in the art, as taught by Carlsson.

In the same field of endeavor, Carlsson discloses the feature(s) the first line include business calls (see col. 3, lines 16-31), where the user of the terminal has subscription accounts for charging calls to either a private and personal subscription.

Therefore, it would have been obvious to one of ordinary skill in the art at the time the invention was made to combine the teachings of Dent, Martineau, and Carlsson to have the feature(s) the first line include business calls, in order to provide systems to enable calls to be charged to a selected subscription account, as taught by Carlsson (see col. 1, lines 61-64).

Response to Arguments

5.   Applicant's arguments filed 03 November 2009 have been fully considered but they

are not persuasive.

The Examiner respectfully disagrees with applicant's arguments as the applied

reference(s) provide more than adequate support and to further clarify (see the above claims

for relevant citations and comments in this section).

6.   In response to applicant's arguments against the references individually, one cannot

show nonobviousness by attacking references individually where the rejections are based on

combinations of references. See *In re Keller*, 642 F.2d 413, 208 USPQ 871 (CCPA 1981); *In

re Merck & Co.,* 800 F.2d 1091, 231 USPQ 375 (Fed. Cir. 1986).

Regarding applicant's argument on pg. 9, 1st full par., "...does not disclose software

within the wireless device that: (1) internally stores a plurality of accounts on the wireless

device, (2) allows a user to adjust the account balances by transferring amongst the internal

accounts and (3) selectively charges one of the plurality of internally stored account balances

with a charge calculated within the wireless device..."; and on pg. 12, 1st full par. "...the

accounts with their account balances are stored and maintained on the wireless device itself,

rather than at a distant network computer...", the Examiner respectfully disagrees. Applicant

has failed to appreciate the combined teachings of well-known prior art Dent and Martineau

that clearly discloses the claimed feature(s) as would be clearly recognized by one of

ordinary skill in the art. In particular, Dent discloses the language as related to the claimed

feature(s)

software within the wireless device (500) to store a plurality of accounts each having an

internal account balance (see col. 5, lines 38-50; col. 6, lines 6-43,61-67; Figs. 6-7 and 8 "ref.

730"), where the radiotelephone (500) has a cellular subscription and satellite subscription,

calculates charges (e.g., communication units usage) for a communication involving said

wireless device (500) (see col. 5, lines 38-39; col. 6, lines 6-43; col. 9, lines 31-50), where

the terminal performs computations of cumulative communication usage units,

a user interface to allow a user to selectively determine which one of the plurality of

internally stored accounts will be charged for said communication using said calculated

charges (see col. 8, lines 1-5; col. 5, lines 38-50; col. 6, lines 6-43; col. 8, lines 36-41,51-58;

Figs. 6-7 and 8 "ref. 730"), where the user of the radiotelephone (500) can select one the

subscriptions based on factors such as remaining free minutes and lowest tariffs. As a note,

Dent further discloses usage of a smartcard (see col. 5, lines 38-39; col. 6, lines 6-43,61-67;

col. 9, lines 31-50), where the terminal utilizing the smartcard performs computations of

cumulative communication usage units (see col. 4, lines 21-29). As further support in the

same field of endeavor, Martineau discloses the language as related to the claimed feature(s)

allow transfer of amounts amongst said internal accounts (see col. 7, lines 23-29,35-37; col.

4, lines 2-3), where the handset has a prepaid account and a SIM account in which units are

exchanged between the SIM (8) and prepaid card (10) (see Figs. 1-3). As a note, Martineau

at the least further discloses smartcards (8, 10) (see col. 5, lines 18-23; Fig. 1), where the

handset manages exchanges between the smartcards (8, 10) in which the smartcards can have

a credit (or unit value) (see col. 5, lines 4-10; col. 6, lines 33-35). Therefore, the

combination(s) of the reference(s) Dent, Martineau, and Carlsson as addressed above more than adequately meets the claim limitations.

7.   In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., …transferred from a prepaid account to a postpaid...) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Regarding applicant's argument on pg. 11, 2nd full par. (see above), the applicant's argument relies on a feature(s) not recited in the claim(s).

8.   In response to applicant's argument that the references fail to show certain features of applicant's invention, it is noted that the features upon which applicant relies (i.e., …third, fourth etc. account balance…) are not recited in the rejected claim(s). Although the claims are interpreted in light of the specification, limitations from the specification are not read into the claims. See *In re Van Geuns*, 988 F.2d 1181, 26 USPQ2d 1057 (Fed. Cir. 1993).

Regarding applicant's argument on pg. 11, 2nd full par. (see above), the applicant's argument relies on a feature(s) not recited in the claim(s).

Conclusion

9.   Any inquiry concerning this communication or earlier communications from the examiner should be directed to WILLIE J. DANIEL JR whose telephone number is (571)272-7907. The examiner can normally be reached on 8:30-4:30.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's

supervisor, Charles Appiah can be reached on (571) 272-7904. The fax phone number for

the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent

Application Information Retrieval (PAIR) system. Status information for published

applications may be obtained from either Private PAIR or Public PAIR. Status information

for unpublished applications is available through Private PAIR only. For more information

about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on

access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-

9197 (toll-free). If you would like assistance from a USPTO Customer Service

Representative or access to the automated information system, call 800-786-9199 (IN USA

OR CANADA) or 571-272-1000.

/WJD,Jr/

WJD,Jr
19 January 2010

/Charles N. Appiah/
Supervisory Patent Examiner, Art Unit 2617